



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: 27 February 2007

EXPIRATION DATE: 13 March 2007

REFERENCE NUMBER: POA-2007-403-1

WATERWAY: Knik Arm

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

APPLICANT: Kink Arm Bridge and Toll Authority, (KABATA), 550 West 7th Avenue, Suite 1850, Anchorage, Alaska 99501-3570.

Agent: PND Engineers INC. 1506 West 36th Avenue, Anchorage, AK 99503-1506.
Contact Ms. Jennifer Lundberg (907) 561-1011.

LOCATION: The proposed project is located within Section 31, T. 14 N., R. 4 W., Seward Meridian; Latitude 61.2767° N., Longitude 149.8674° W.; offshore near Cairn Point, Anchorage, Alaska.

PURPOSE: The applicant's stated purpose is to provide critical data for determining construction methodologies for the construction of the pile supported portions of the Knik Arm Crossing project, (bridge).

PROPOSED WORK: Drive 3, 48" diameter piling, two at batter (slanted), and 1 piling will be placed vertically.

ADDITIONAL INFORMATION: The proposed project will test piling of different design and different methods for driving those piling. This information will be used for design information for the Knik Arm Crossing, (bridge). If issued the permit will require that the piling be removed if they are not structurally useful to the proposed bridge structure.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Commander at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known or historic range of the Beluga Whale. While the Beluga Whale is not listed as an endangered species at this time, recent events may lead to it's listing in the near future.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

Preliminarily, the described activity will not affect EFH in the project area. This Public Notice initiates EFH consultation with the NMFS. Any comments or recommendations they may have concerning EFH will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Commander during the public comment period.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors,

which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Skip Joy at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at Irvin.t.joy@poa02.usace.army.mil if further information is desired concerning this notice.

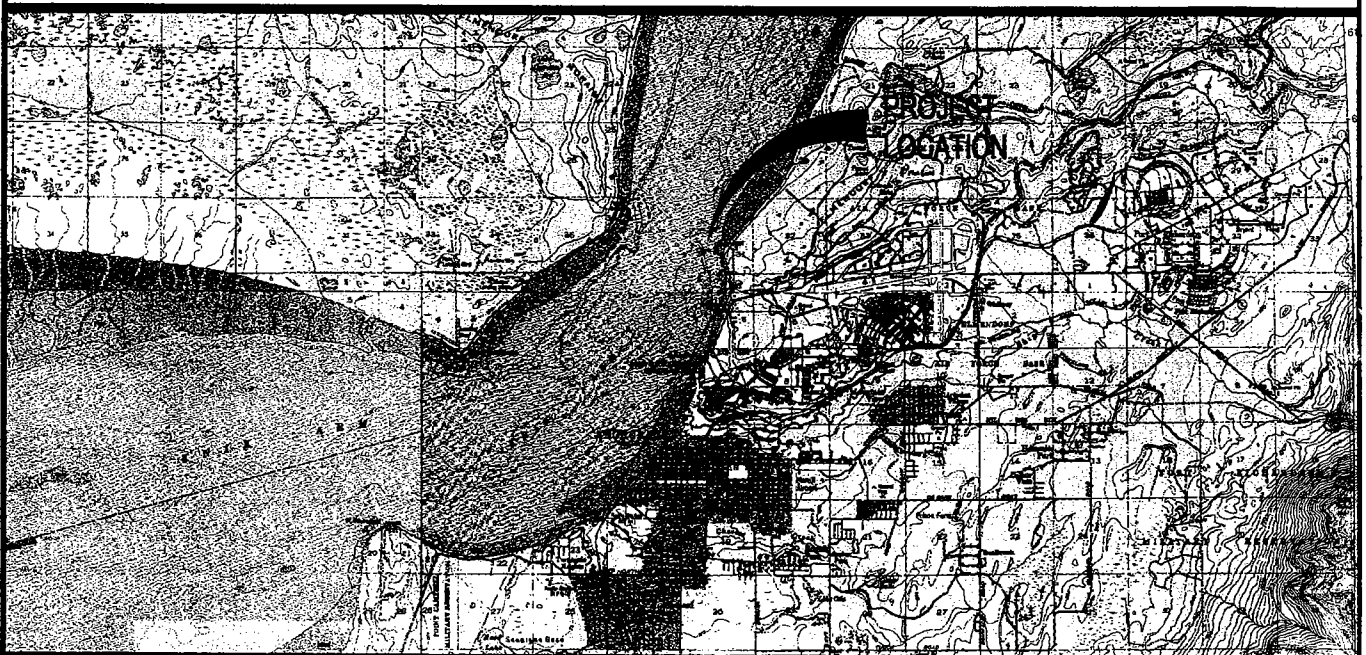
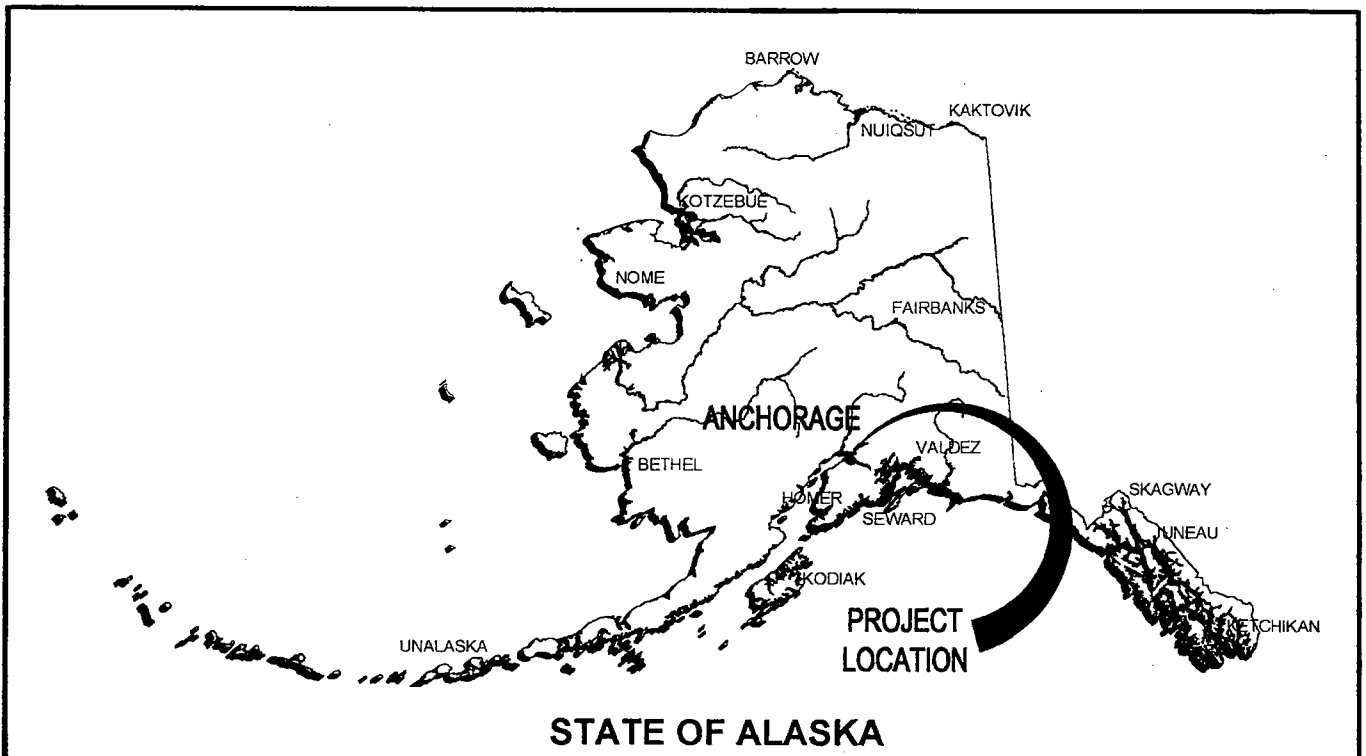
AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

Project drawings and Notice of Application for Certification of Consistency with the Alaska Coastal Management Program are enclosed with this Public Notice.

District Commander
U.S. Army, Corps of Engineers

Enclosures



PURPOSE:
TEST PILE

DATUM: MLLW 0'

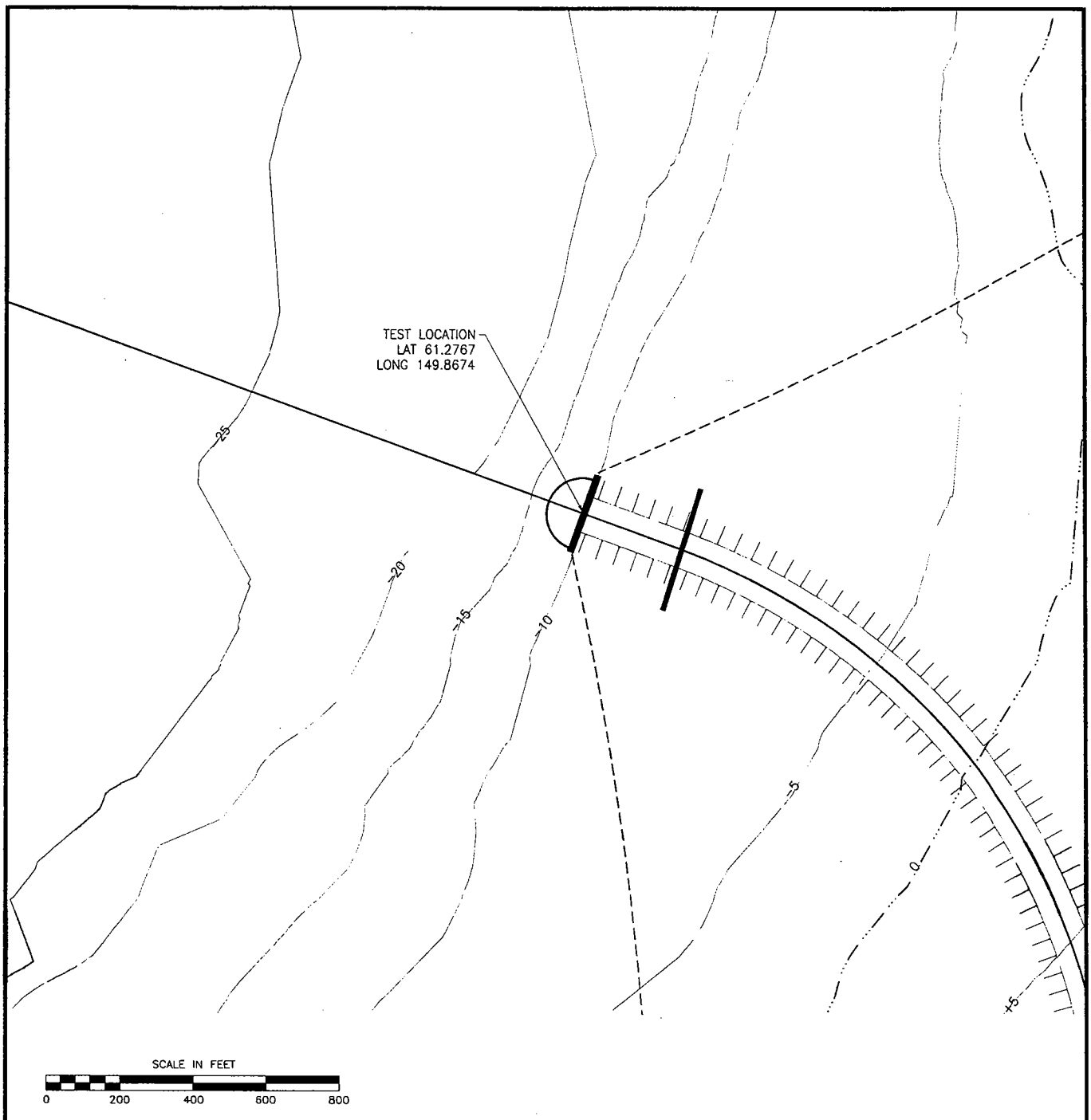
ADJACENT PROPERTY OWNERS:
DNR-LAND, MINING & WATER

VICINITY MAP

KAB/
550 W. 7
SUITE
ANCHORAGE,

KNIK ARM
PILE TEST

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PURPOSE:
TEST PILE

DATUM: MLLW 0'

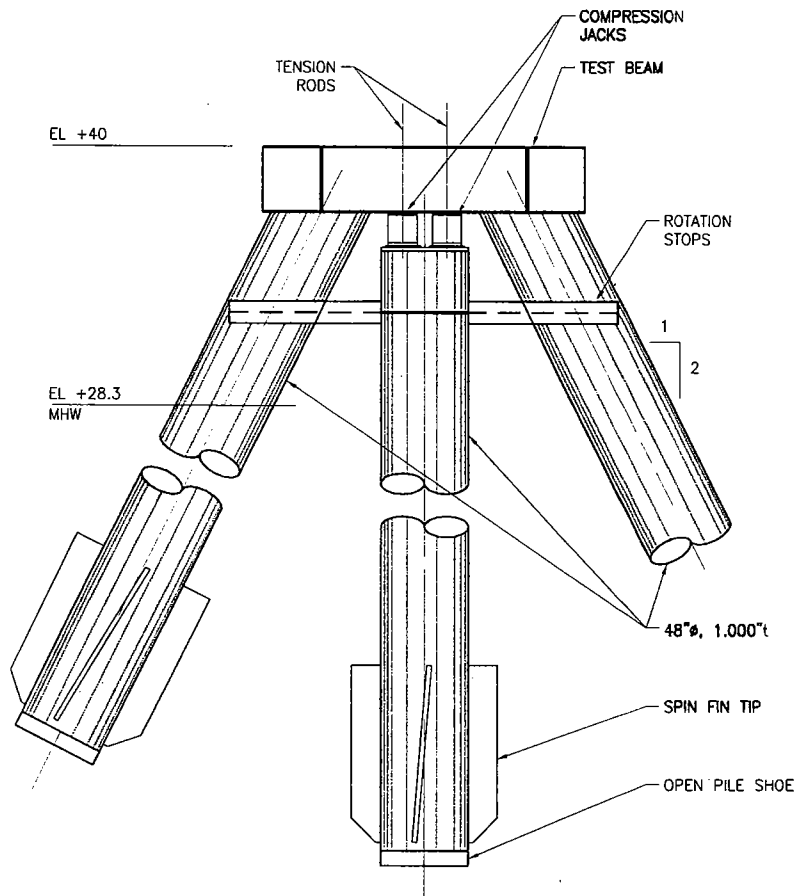
ADJACENT PROPERTY OWNERS:
DNR-LAND, MINING & WATER

LOCATION PLAN

KAB
550 W.
SUITE
ANCHORAGE

KNIK ARM PILE TEST

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TEST ELEVATION

NOTES:

- 1) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW = 0.00')
- 2) BASIS OF VERTICAL DATUM FOR THIS SURVEY IS FROM NOAA TIDAL BENCH MARK 945-5920 NO. "15 1966" ELEVATION 36.81' MLLW (SEE NOTE 1), LOCATED AT THE NORTH EAST CORNER OF ANCHORAGE CITY DOCK WAREHOUSE AND OFFICE BUILDING SET FLUSH WITH CONCRETE DOCK SURFACE. ELEVATION WAS TRANSFERRED TO THE SITE BY SIMULTANEOUS OBSERVATION.
- 3) HORIZONTAL DATUM WAS ESTABLISHED BY SENTEC INC. USING GPS METHODOLOGY, HOLDING STATION "VAN" AS THE HORIZONTAL REFERENCE POINT. DATA WAS TRANSMITTED TO PN&D AS ALASKA STATE PLANE, ZONE 4, NAD 27.
- 4) PARCEL BEARINGS & DISTANCES ARE RECORD. NO RETRACEMENT SURVEYS WERE PERFORMED FOR THIS PROJECT.

PROJECT CONTROL

POINT	DESCRIPTION	NORTHING	EASTING	BEARING
1	NW CORNER OF H-PILE	2655876.19	514945.94	
2	SW CORNER OF H-PILE	2655443.09	515020.73	S9°52'27"E

PURPOSE:
TEST PILE

DATUM: MLLW 0'

ADJACENT PROPERTY OWNERS:
DNR-LAND, MINING & WATER

TEST PILE ELEVATION

550
ANCHOR

**KNIK ARM
PILE TEST**

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STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES OFFICE OF PROJECT MANAGEMENT AND PERMITTING

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
550 WEST 7TH AVENUE, SUITE 705
ANCHORAGE, ALASKA 99501-3559
PHONE: (907) 269-7470/FAX: (907) 269-3981

NOTICE OF APPLICATION FOR CERTIFICATION OF CONSISTENCY WITH THE ALASKA COASTAL MANAGEMENT PROGRAM

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. POA-2007-403-1, Knik Arm, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

The Office of Project Management and Permitting requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the consistency review contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.